

STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR AND ECONOMIC GROWTH
OFFICE OF FINANCIAL AND INSURANCE REGULATION

Before the Commissioner of the Office of Financial & Insurance Regulation

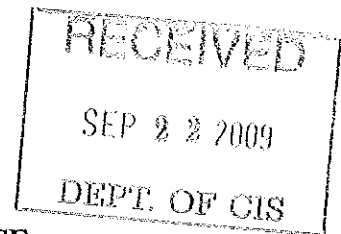
In the Matter of:

P & J Cash, LLC
d/b/a Cash Connection
31943 Red Run Drive
Warren, MI 48093
License No. DP -0013628

OFIR/OGC
SEP 22 2009
RECEIVED

Enforcement Case No. 08-6970

Respondent _____/



**CONSENT ORDER REQUIRING COMPLIANCE
AND PAYMENT OF FINES**

Issued and entered
on 9/24/09
by Stephen R. Hilker,
Chief Deputy Commissioner


Based upon the Stipulation to Entry of the Consent Order and the files and records of the Office of Financial and Insurance Regulation (OFIR) in this matter, the Chief Deputy Commissioner finds and concludes that:

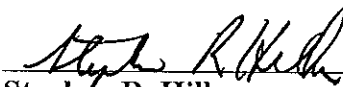
1. The Chief Deputy Commissioner has jurisdiction and authority to adopt and issue this Consent Order in this proceeding, pursuant to the Michigan Administrative Procedures Act of 1969 ("MAPA"), as amended, MCL 24.201 *et seq.*, and the Deferred Presentment Service Transactions Act, 2005 PA 244, MCL 487.2121 *et seq.* ("Act").
2. All required notices have been issued in this case, and the notices and service thereof were appropriate and lawful in all respects.
3. Acceptance of the parties' Stipulation to Entry of the Consent Order is reasonable and in the public interest.
4. All applicable provisions of the MAPA have been met.
5. Respondent violated Sections 33, 34, and 39 of the Act.

46

Now therefore, based upon the parties' Stipulation to Entry of the Consent Order and the facts surrounding this case, IT IS ORDERED THAT:

6. Respondent has paid to the State of Michigan, through OFIR, administrative and civil fines in the amount of \$2,700.
7. As described in the Stipulation to Entry of Consent Order:
 - a. Respondent shall maintain a direct electronic interface with the Veritec database. Respondent shall further test its software twice per month to verify that it is accurately communicating with the Veritec database. Respondent understands that failure by the software to communicate with the Veritec database does not excuse Respondent from complying with the Act.
 - b. Respondent shall use a software program that would declare a transaction ineligible if a Veritec transaction number is not assigned to the transaction immediately after the Respondent has submitted the customer's information to Veritec, to determine the customer's eligibility to enter into a deferred presentment service transaction.
 - c. Respondent shall conduct daily checks of all deferred presentment service contracts to assure that the Veritec transaction numbers are recorded on all contracts, closed transactions are timely entered into the Veritec database, and all transactions have been properly reported to the Veritec database.
 - d. Respondent shall conduct a daily review of its deferred presentment service transactions to determine if the transactions have been reported to the Veritec database, by comparing its daily transactions to the transactions that have been reported to the Veritec database.
 - e. Respondent shall maintain all repayment plans and deferred presentment service agreements.
8. The Chief Deputy Commissioner retains jurisdiction over the matters contained herein and has the authority to issue such further order(s) as he shall deem just, necessary and appropriate in accordance with the Act. Failure to abide by the terms and provisions of the Stipulation and this Order may result in the commencement of additional proceedings.


JAMES GENSTERT - 9-17-09
OWNER

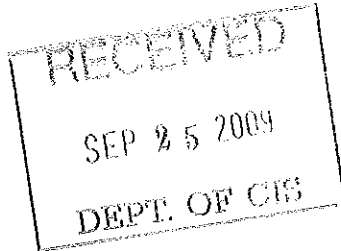

Stephen R. Hilker
Chief Deputy Commissioner

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Enforcement Case No. 08-6970

Respondent

_____ /

STIPULATION TO ENTRY OF THE CONSENT ORDER

P & J Cash, LLC dba Cash Connection (Respondent) and the Office of Financial and Insurance Regulation ("OFIR") stipulate to the following:

1. On or about January 26, 2009, OFIR served Respondent with a Notice of Opportunity to Show Compliance ("NOSC") alleging that Respondent violated provisions of the Deferred Presentment Service Transactions Act, 2005 PA 244, MCL 487.2121 *et seq.* ("Act").
2. The NOSC contained allegations that Respondent violated the Act, and set forth the applicable laws and penalties which could be taken against Respondent.
3. Respondent exercised its right to an opportunity to show compliance at an informal conference held at OFIR on March 3, 2009.
4. OFIR and Respondent have conferred for purposes of resolving this matter and have agreed that it is in the parties' best interest to resolve this matter pursuant to the terms set forth below.
5. The Chief Deputy Commissioner of OFIR has jurisdiction and authority to adopt and issue this Consent Order pursuant to the Michigan Administrative Procedures Act ("MAPA"), MCL 24.201 *et seq.*, and the Act.
6. At all pertinent times, Respondent was licensed with OFIR as a deferred presentment service provider pursuant to the Act.

7. The NOSC alleged the following:
 - a. During OFIR staff's examination of Respondent, staff found that Respondent failed to enter deferred presentment service transactions into the Veritec database. Respondent violated Section 33(2) of the Act, MCL 487.2153(2), Section 34(1)(b) of the Act, MCL 487.2154(1)(b), and Section 34(7) of the Act, MCL 487.2154(7), by failing to enter deferred presentment service transactions into the Veritec database.
 - b. Respondent failed to maintain deferred presentment service agreements and repayment plan agreements for some of its customers. Based on the foregoing, Respondent violated Section 39(1) of the Act, MCL 487.2159(1).
 - c. Respondent failed to timely close deferred presentment service transactions and immediately notify the Veritec database that the transactions were closed in accordance with the Act. By failing to timely close deferred presentment service transactions and notify the database provider immediately to close the transactions, Respondent violated Section 34(8) of the Act, MCL 487.2154(8).
8. Respondent shall pay to the State of Michigan, through OFIR, administrative and civil fines in the amount of \$2,700. Respondent further agrees to pay the fines within 30 days of the invoice date as indicated on the OFIR invoice.
9. Both parties have complied with the procedural requirements of the MAPA and the Act.
10. Respondent understands and agrees that this Stipulation will be presented to the Chief Deputy Commissioner for approval.
11. Respondent, without admitting the truth or validity of any of the allegations made by OFIR, agrees that it shall operate its business in the state of Michigan at all times so that it shall not engage in any violations of sections of the Act identified in paragraph 7 of this Stipulation, and consents to the entry of the Consent Order.
12. Respondent represents that it has established and will continue to maintain a direct electronic interface with the Veritec database. Respondent further agrees to test its software twice per month to verify that it is accurately communicating with the Veritec database. Respondent understands that failure by the software to communicate with the Veritec database does not excuse Respondent from complying with the Act.
13. Respondent represents that it has implemented and will continue to use a software program that would declare a transaction ineligible if a Veritec transaction number is not assigned to the transaction immediately after the Respondent has submitted the customer's information to Veritec, to determine the customer's eligibility to enter into a deferred presentment service transaction. Respondent further agrees to have its manager conduct daily checks of all deferred presentment service contracts to assure that the Veritec transaction numbers are recorded on all contracts, closed transactions are timely

entered into the Vertec database, and all transactions have been properly reported to the Veritec database.

14. Respondent agrees to conduct a daily review of its deferred presentment service transactions to determine if the transactions have been reported to the Veritec database, by comparing its daily transactions to the transactions that have been reported to the Veritec database.
15. Respondent agrees to maintain all repayment plans and deferred presentment service agreements.
16. The Chief Deputy Commissioner may in his sole discretion, decide to accept or reject the Stipulation and Consent Order. If the Chief Deputy Commissioner accepts the Stipulation and Consent Order, Respondent waives the right to a hearing in this matter and consents to the entry of the Consent Order. If the Chief Deputy Commissioner does not accept the Stipulation and Consent Order, Respondent waives any objection to the Commissioner holding a formal administrative hearing and making his decision after such hearing.
17. The failure to abide by the terms and conditions of this Stipulation and Consent Order may, at the discretion of the Chief Deputy Commissioner, result in further administrative compliance actions.
18. The Chief Deputy Commissioner has jurisdiction and authority under the provisions of the MAPA and the Act to accept the Stipulation and Consent Order and to issue a Consent Order resolving these proceedings.
19. Respondent has had an opportunity to review the Stipulation and Consent Order and have the same reviewed by legal counsel.

P & J Cash, LLC dba Cash Connection

By:

JAMES GENTRY

Its:

OWNER

Dated

9-24-09

Office of Financial & Insurance Regulation

By:

Marlon F. Roberts
Staff Attorney

Dated

9/25/09